

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-cr-80107-Middlebrooks/Matthewman
8 U.S.C. § 1326(a)

UNITED STATES OF AMERICA

vs.

OVIDIO DE LEON-DIAZ,
a/k/a "Ovidio Nolasco-Diaz,"

Defendant.

INDICTMENT

The Grand Jury charges that:

On or about June 22, 2025, in Palm Beach County, in the Southern District of Florida, the defendant,

OVIDIO DE LEON-DIAZ,
a/k/a "Ovidio Nolasco-Diaz,"

an alien, having been previously removed and deported from the United States on or about March 9, 2016, was found to be in the United States, knowingly and unlawfully, without the Attorney General of the United States or his successor, the Secretary of Homeland Security (Title 6, United States Code, Sections 202(3) and 202(4), and 557) having expressly consented to such alien's reapplying for admission to the United States, in violation of Title 8, United States Code, Section 1326(a).

A TRUE BILL

FOREPERSON

McNelis for
HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

Shannon O'Shea Darsch
SHANNON O'SHEA DARSCH
ASSISTANT UNITED STATES ATTORNEY

FILED BY *TM* D.C.

Jul 3, 2025

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.: _____

v.

OVIDIO DE LEON-DIAZ,
a/k/a "Ovidio Nolasco-Diaz,"

Defendant.

Court Division (select one)

Miami Key West FTP
 FTL WPB

CERTIFICATE OF TRIAL ATTORNEY

Superseding Case Information:

New Defendant(s) (Yes or No) _____

Number of New Defendants _____

Total number of new counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the Indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, 28 U.S.C. §3161.

3. Interpreter: (Yes or No) Yes

List language and/or dialect: Spanish

4. This case will take 3 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

(Check only one)

I 0 to 5 days
 II 6 to 10 days
 III 11 to 20 days
 IV 21 to 60 days
 V 61 days and over

(Check only one)

Petty
 Minor
 Misdemeanor
 Felony

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes, Judge _____ Case No. _____

7. Has a complaint been filed in this matter? (Yes or No) Yes

If yes, Judge William Matthewman Magistrate Case No. 25-mj-8337-WM

8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No

If yes, Judge _____ Case No. _____

9. Defendant(s) in federal custody as of _____

10. Defendant(s) in state custody as of _____

11. Rule 20 from the _____ District of _____

12. Is this a potential death penalty case? (Yes or No) No

13. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? (Yes or No) No

14. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

15. Did this matter involve the participation of or consultation with Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No

16. Did this matter involve the participation of or consultation with Magistrate Judge Ellen F. D'Angelo during her tenure at the U.S. Attorney's Office, which concluded on October 7, 2024? No

By: Shannon O'Shea Darsch

SHANNON O'SHEA DARSCH

Assistant United States Attorney

FL Bar No. 68566

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Ovidio De Leon-Diaz a/k/a "Ovidio Nolasco-Diaz"

Case No: _____

Count #: 1

Illegal re-entry into the United States after deportation or removal

Title 8, United States Code, Section 1326(a)

- * **Max. Term of Imprisonment:** up to 2 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** n/a
- * **Max. Supervised Release:** up to 1 year
- * **Max. Fine:** up to \$250,000
- * **Special Assessment:** \$100 upon conviction

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.